

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ALESSIA DI MICHELE, *on behalf of herself and others* :
similarly situated in the proposed FLSA Collective Action :
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Plaintiff, : 22 Civ. 8439 (JPC)
:
-v- : ORDER
:
AMAYA PARTNERS LLC *et al.*, :
:
:
Defendants. :
:
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JOHN P. CRONAN, United States District Judge:

The Complaint in this action was filed on October 4, 2022. Dkt. 1. Defendants have not appeared in this action, and the docket does not reflect whether Defendants have been served. Pursuant to Federal Rule of Civil Procedure 4(m), “[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m).

Plaintiff is ordered to file a status letter by January 11, 2023, describing (1) whether service of the summons and Complaint has been made on Defendants, and (2) if service has not been effected on Defendants, whether Plaintiff requests an extension of time to serve Defendants. If Plaintiff requests an extension of time to effect service, she shall include in her letter an explanation of why there is good cause to excuse her failure to serve Defendants within the 90-day deadline set by Rule 4(m). *See* Fed. R. Civ. P. 4(m) (“[I]f the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.”). If service of the summons and

Complaint has been made on Defendants, Plaintiff must file proof of service on the docket no later than January 11, 2023. If no such letter is filed, the Court will dismiss the case.

SO ORDERED.

Dated: January 4, 2023
New York, New York



JOHN P. CRONAN
United States District Judge